

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HEARTLAND CEMENT CO., et al. : CIVIL ACTION  
                                  :  
                                  :  
v.                              :  
                                  :  
                                  :  
ULTIMAX CEMENT CORP., et al. : No. 10-4328

ORDER

AND NOW, this 24th day of January, 2011, upon  
consideration of the defendants' Motion to Dismiss or Stay in  
Favor of Arbitration (Docket No. 6), the plaintiffs' response and  
the defendants' reply thereto, and for the reasons set forth in a  
memorandum bearing today's date, IT IS HEREBY ORDERED that the  
motion is DENIED.

BY THE COURT:

/s/ Mary A. McLaughlin  
MARY A. McLAUGHLIN, J.